

REMARKS

In paragraph 2 of the final Action, claims 5-11 were rejected under 35 U.S.C. 112, second paragraph. In view of the rejection, claim 5 has been amended to include the recitation of claim 10, and claim 10 has been cancelled.

In paragraph 5 of the final Action, claims 5-11 were rejected under 35 U.S.C. 103(a) as being unpatentable over Brauner et al. in view of Toshima et al.

In the invention, a packaging body for heat processing a material retained therein includes a plastic base material having side joining sections, and end sides. The side joining sections and end sides are superposed and connected together to form a bag for filling the material.

A sealant layer is interposed between the end sides to connect the end sides together through the sealant layer to thereby form a vapor communication joining section at the end sides. The sealant layer has a peeling off property from 0 to 1,200 gf/15 mm at 90°C and a peeling off property of equal to or more than 3 kgf/15 mm at 23°C. Thus, only when the packaging body is heated more than 90°C, the vapor communication joining section is opened to release pressure inside the packaging body.

Namely, in the invention, the peeling off property at the end sides is different whether the packaging body is heated or not. Since the peeling off property at the end sides is equal to or more than 3 kgf/15 mm at 23°C, i.e. room temperature, the end sides as well as the side joining sections are securely sealed at 23°C. When the packaging body is heated more than 90°C, since the sealant layer has a peeling off property from 0 to 1,200 gf/15 mm at 90°C, the end sides can be separated. Namely, the end sides can be separated by the inner vapor pressure of the packaging body to release the vapor from the inside of the packaging body.

In this respect, the side joining sections are firmly connected together when the packaging body is heated more than 90°C, as recited in claim 6. Therefore, the end sides are only separated when the packaging body is heated more than 90°C, so that the pressure formed by heating the packaging body can be released through the end sides.

In Brauner et al., a self-opening flexible pouch for use in a microwave oven includes a thin plastic film laminated to a paper substrate. As shown in Fig. 5, the plastic film is folded and sealed at portions 32a, 34a, 36a. In particular, the back sides of portions of the panels 52, 62 and 64 with the heat sealable adhesive 26 are brought into contact with each other, and these engaging portions are heat sealed together. The pouch closed at the portions 32a, 34a, 36a is opened as shown in Figs. 11 and 16 when heated at the microwave oven.

In the invention, the sealant layer has a peeling off property from 0 to 1,200 gf/15 mm at 90°C and a peeling off property of equal to or more than 3 kgf/15 mm at 23°C. In Brauner et al., the plastic film is sealed at the portions 32a, 34a, 36a through the adhesive 26, but the peeling off properties different at temperatures as disclosed in the invention are not disclosed or suggested.

In the invention, only when the packaging body is heated more than 90°C, the vapor communication joining section is opened to release pressure inside the packaging body. In Brauner et al., all the portions 32a, 34a, 36a are opened when heated.

Namely, Brauner et al. does not disclose or suggest that the peeling off properties in one packaging body are partly different, and that the packaging body has specific peeling off properties at 90°C and 23°C of the sealant layers. The features of the invention are not disclosed or suggested in Brauner et al.

In a sealed bag of Toshima et al., both sides of the film are turned outside to form turned-up faces, and a turned-up line formed by the two rows of the turned-up faces is covered with a fusing tape fused with the turned-up faces of the film. The peel strength of the tape from the film of the bag is 100 g/15 mm to 1,500 g/15 mm.

In the invention, the sealant layer has peeling off properties different in temperatures. In Toshima et al., the peel strength of the tape from the film of the bag is only disclosed. Namely, it is not disclosed or suggested that the peeling off properties are different in temperatures.

Also, in the invention, it is specified that the peeling off property is from 0 to 1,200 gf/15 mm at 90°C and the peeling off property is equal to or more than 3 kgf/15 mm at 23°C. In Toshima et al., only one peel strength of 100 to 1,500 g/15 mm, which is within the range heated at 90°C in the invention, is disclosed. It is not stated that the peel strength is obtained at the specific temperature as in the invention. The peel off property of the invention equal to or more than 3 kgf/15 mm is not disclosed or suggested in Toshima et al.

If the peel strength is 100 to 1,500 g/15 mm as in Toshima et al., the tape can be easily peeled from the turned-up faces when the packaging body is heated. The strength of the bag is not sufficient in the normal usage.

In the final Action on page 3, lines 5-7, it was held that Toshima et al. teaches a bag comprising a vent with a peel force of 100-1500 g/15 mm when the temperature was about 90°C (Fig. 2a, #3; column 2, line 3; Example 2). However, in column 2, lines 1-3, it is stated that the peel strength of the easily openable tape from the film of the bag is 100 g/15 mm to 1,500 g/15 mm. Namely, it is not stated that the peel force is 100-1500 g/15 mm when the temperature was about 90°C (emphasis added). There is no

disclosure about temperature even in Fig. 2 and Example 2. The Examiner's opinion about temperature is speculation, not disclosed in Toshima et al.

In the invention, the peeling off property is from 0 to 1,200 gf/15 mm at 90°C and the peeling off property is equal to or more than 3 kgf/15 mm at 23°C. Toshima et al. does not disclose or suggest the peeling properties with reference to the temperatures.

It was also held at last three lines on page 3 of the final Action that regarding the normal peeling force of at least 3 kg/15 mm at 23°C, this property would have inherently been provided by the polypropylene tape sealant of Toshima et al. In this respect, it is pointed out that Toshima et al. does not disclose that the normal peeling force is at least 3 kg/15 mm at 23°C. What is stated by the Examiner is not disclosed in Toshima et al.

The Examiner's opinion regarding Toshima et al. is not based on the disclosure of Toshima et al.

The features of the invention showing two different peeling off properties are not disclosed or suggested in the cited references. Even if the cited references are combined, the present invention is not obvious from the cited references.

Reconsideration and allowance are earnestly solicited.

Respectfully Submitted,

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